L.N. 55 of 2005

PLANT QUARANTINE ACT, 2001
(ACT NO. XVII of 2001)

Plant Quarantine (Harmful Organisms) (Amendment)(No. 2) Regulations, 2005

IN exercise of the powers conferred by article 32 of the Plant Quarantine Act, 2001, the Minister for Rural Affairs and the Environment has made the following regulations:–

Title and scope.

1. (1) The title of these regulations is the Plant Quarantine (Harmful Organisms) (Amendment) (No. 2) Regulations, 2005 and they shall be read and construed as one with the Plant Quarantine (Harmful Organisms) Regulations, 2004, hereinafter referred to as "the principal regulations".

L.N. 97 of 2004.

(2) The scope of these regulations is to transpose the provisions found in European Commission Directive 2004/102/EC, amending annexes II, III, IV and V to Commission Directive 2000/29/EC on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community:

Provided that Directive 2000/29 has been transposed under the Plant Quarantine (Harmful Organisms) Regulations, of 2004.

Amends Schedule II to the principal regulations

2. (a) In Schedule II, Part A, Section I thereof, point (c) 4 shall be amended as follows:

"4. *Ceratocystis virescens* (Davidson) Moreau	Plants of *Acer saccharum* Marsh., other than fruit and seeds, originating in the USA and Canada, wood of *Acer saccharum* Marsh., including wood which has not kept its natural round surface, originating in the USA and Canada".

(b) In Part A, Section II, thereof, in point (c) 3, the text of the right hand column is replaced by the following:

"Plants of *Castanea* Mill and *Quercus* L., intended for planting, other than seeds"; and

(c) In Part B(c), the following point is added before point 1:

"01 *Cryphonectria parasitica* (Murrill.) Barr.	Wood, excluding wood which is bark-free, and isolated bark of *Castanea* Mill.	CZ, DK, EL, (Crete, Lesvos) IRL,S, UK (except the Isle of Man)".

Amends Schedules III and IV to the principal regulations

4. (a) In Schedule III to the principal regulations, Part A, point 4 shall be deleted.

(b) In Schedule IV to the principal regulations , Part A, Section I thereof, points 1.1, 1.2, 1.3, 1.4 and 1.5 are replaced by the following:-

"1.1. Whether or not listed among the CN codes in Annex V, Part B, wood of conifers (Coniferales), except that of *Thuja* L., other than in the form of: — chips, particles, sawdust, shavings, wood waste and scrap obtained in whole or part from these conifers, — wood packaging material, in the form of packing cases, boxes, crates, drums and similar packings, pallets, box pallets and other load boards, pallet collars, actually in use in the transport of objects of all kinds, — wood used to wedge or support non-wood cargo, — wood of *Libocedrus decurrens* Torr. where there is evidence that the wood has been processed or manufactured for pencils using heat treatment to achieve a minimum temperature of 82 °C for a seven to eight-day period, but including that which has not kept its natural round surface, originating in Canada, China, Japan, the Republic of Korea, Mexico, Taiwan and the USA, where *Bursaphelenchus xylophilus*	Official statement that the wood has undergone an appropriate: (a) heat treatment to achieve a minimum core temperature of 56 °C for at least 30 minutes. There shall be evidence thereof by a mark "HT" put on the wood or on any wrapping in accordance with current usage, and on the certificates referred to in Article 13.1.(ii), or (b) fumigation to a specification approved in accordance with the procedure laid down in Article 18.2. There shall be evidence thereof by indicating on the certificates referred to in Article 13.1.(ii), the active ingredient, the minimum wood temperature, the rate (g/m^3) and the exposure time (h), or (c) chemical pressure impregnation with a product approved in accordance with the procedure laid down in Article 18.2. There shall be evidence thereof certificates referred to in Article 13.1(ii), the active ingredient, the pres-

is known to occur .	sure (psi or kPa) and the concentration (%).
1.2. Whether or not listed among the CN codes in Annex V, Part B, wood of conifers (Coniferales), except that of *Thuja* L., in the form of: — chips, particles, sawdust, shavings, wood waste and scrap obtained in whole or part from these conifers, originating in Canada, China, Japan, the Republic of Korea, Mexico, Taiwan and the USA, where *Bursaphelenchus xylophilus* (Steiner et Bührer) Nickle et al. is known to occur.	Official statement that the wood has undergone an appropriate: (a) heat treatment to achieve a minimum core temperature of 56 °C for at least 30 minutes, the latter to be indicated on the certificates referred to in Article 13.1.(ii), or (b) fumigation to a specification approved in accordance with the procedure laid down in Article 18.2. There shall be evidence thereof by indicating on the certificates referred to in Article 13.1.(ii), the active ingredient, the minimum wood temperature, the rate (g/m^3) and the exposure time (h).
1.3. Whether or not listed among the CN codes in Annex V, Part B, wood of *Thuja* L., other than in the form of: — chips, particles, sawdust, shavings, wood waste and scrap, — wood packaging material, in the form of packing cases, boxes, crates, drums and similar packings, pallets, box pallets and other load boards, pallet collars, actually in use in the transport of objects of all kinds, — wood used to wedge or support non-wood cargo, originating in Canada, China, Japan, the Republic of Korea, Mexico, Taiwan and the USA, where *Bursaphelenchus xylophilus* (Steiner et Bührer) Nickle et al. is known to occur	Official statement that the wood: (a) is bark-free, or (b) has undergone kiln-drying to below 20 % moisture content, expressed as a percentage of dry matter, achieved through an appropriate time/temperature schedule. There shall be evidence thereof by a mark “kiln-dried” or “K.D.” or another internationally recognised mark, put on the wood or on any wrapping in accordance with current usage, or (c) has undergone an appropriate heat treatment to achieve a minimum core temperature of 56 °C for at least 30 minutes. There shall be evidence thereof by a mark “HT” put on the wood or on any wrapping in accordance with current usage and on the certificates referred to in Article 13.1.(ii), or d) has undergone an appropriate fumigation to a specification approved in accordance with the procedure laid down in Article 18.2. There shall

	be evidence thereof by indicating on the certificates referred to in Article 13.1.(ii), the active ingredient, the minimum wood temperature, the rate (g/m³) and the exposure time (h),or (e) has undergone an appropriate chemical pressure impregnation with a product approved in accordance with the procedure laid down in Article 18.2. There shall be evidence thereof by indicating on the certificates referred to in Article 13.1.(ii), the active ingredient, the pressure (psi or kPa) and the concentration (%).
1.4. Whether or not listed among the CN codes in Annex V, Part B, wood of *Thuja* L., in the form of: — chips, particles, sawdust, shavings, wood waste and scrap, originating in Canada, China, Japan, the Republic of Korea, Mexico, Taiwan and the USA, where *Bursaphelenchus xylophilus* (Steiner et Bührer) Nickle et al. is known to occur.	Official statement that the wood: (a) has been produced from debarked round wood, or (b) has undergone kiln-drying to below 20 % moisture content, expressed as a percentage of dry matter, achieved through an appropriate time/temperature schedule, or (c) has undergone an appropriate fumigation to a specification approved in accordance with the procedure laid down in Article 18.2. There shall be evidence thereof by indicating on the certificates referred to in Article 13.1.(ii), the active ingredient, the minimum wood temperature, the rate (g/m³) and the exposure time (h), or (d) has undergone an appropriate heat treatment to achieve a minimum core temperature of 56 °C for at least 30 minutes, the latter to be indicated on the certificates referred to in Article 13.1.(ii).
1.5. Whether or not listed among the CN codes in Annex V, Part B, wood of conifers (Coniferales), other than in the form of: — chips, particles, sawdust, shavings, wood waste and scrap obtained in whole or part from these conifers, — wood packaging material in the form of packing cases, boxes, crates, drums and similar packings, pallets, box pallets and other load boards, pallet collars, actually in use in the transport of objects of all kinds, — wood used to wedge or support non-wood cargo,	Official statement that the wood: (a) originates in areas known to be free from: — *Monochamus* spp. (non-European) — *Pissodes* spp. (non-European) — *Scolytidae* spp. (non-European) The area shall be mentioned on the certificates referred to in Article 13.1.(ii), under the rubric "place of origin," or (b) is bark-free and free from grub holes, caused by the genus *Monochamus* spp. (non-European), defined for this purpose as those which are larger than 3mm across, or

but including that which has not kept its natural round surface, originating in Russia, Kazakhstan and Turkey.	(c) has undergone kiln-drying to below 20 % moisture content, expressed as a percentage of dry matter, achieved through an appropriate time/temperature schedule. There shall be evidence thereof by a mark “kiln-dried” or “K.D”. or another internationally recognised mark, put on the wood or on any wrapping in accordance with the current usage, or (d) has undergone an appropriate heat treatment to achieve a minimum core temperature of 56 °C for at least 30 minutes. There shall be evidence thereof by a mark “HT” put on the wood or on any wrapping in accordance with current usage, and on the certificates referred to in Article 13.1.(ii), or (e) has undergone an appropriate fumigation to a specification approved in accordance with the procedure laid down in Article 18.2. There shall be evidence thereof by indicating on the certificates referred to in Article 13.1.(ii), the active ingredient, the minimum wood temperature, the rate (g/m³) and the exposure time (h), or f) has undergone an appropriate chemical pressure impregnation with a product approved in accordance with the procedure laid down in Article 18.2. There shall be evidence thereof by indicating on the certificates referred to in Article 13.1.(ii), the active ingredient, the pressure (psi or kPa) and the concentration %.
1.6. Whether or not listed among the CN codes in Annex V, Part B, wood of conifers (Coniferales), other than in the form of: — chips, particles, sawdust, shavings, wood waste and scrap obtained in whole or part from these conifers, — wood packaging material, in the form of packing cases, boxes, crates, drums and similar packings, pallets, box pallets and other load boards, pallet collars, actually in use in the transport of objects of all kinds, — wood used to wedge or support non-wood	Official statement that the wood: (a) is bark-free and free from grub holes, caused by the genus *Monochamus* spp. (non-European), defined for this purpose as those which are larger than 3mm across, or (b) has undergone kiln-drying to below 20 % moisture content, expressed as a percentage of dry matter, achieved through an appropriate time/temperature schedule. There shall be evidence thereof by a mark “kiln-dried” or “K.D” or another internationally recognised mark, put

cargo, but including that which has not kept its natural round surface, originating in third countries, other than: — Russia, Kazakhstan and Turkey, — European countries, — Canada, China, Japan, the Republic of Korea, Mexico, Taiwan and the USA, where *Bursaphelenchus xylophilus* (Steiner et Bührer) Nickle et al. is known to occur.	on the wood or on any wrapping in accordance with current usage, or (c) has undergone an appropriate fumigation to a specification approved in accordance with the procedure laid down in Article 18.2. There shall be evidence thereof by indicating on the certificates referred to in Article 13.1.(ii), the active ingredient, the minimum wood temperature, the rate (g/m^3) and the exposure time (h), or (d) has undergone an appropriate chemical pressure impregnation with a product approved in accordance with the procedure laid down in Article 18.2. There shall be evidence thereof by indicating on the certificates referred to in Article 13.1.(ii), the active ingredient, the pressure (psi or kPa) and the concentration (%), or (e) has undergone an appropriate heat treatment to achieve a minimum core temperature of 56 °C for at least 30 minutes. There shall be evidence thereof by a mark "HT" put on the wood or on any wrapping in accordance with current usage, and on the certificates referred to in Article 13.1.(ii).
1.7. Whether or not listed among the CN codes listed in Annex V, Part B, wood in the form of chips, particles, sawdust, shavings, wood waste and scrap obtained in whole or in part from conifers (Coniferales), originating in — Russia, Kazakhstan and Turkey, — non-European countries other than Canada, China, Japan, the Republic of Korea, Mexico, Taiwan and the USA, where *Bursaphelenchus xylophilus* (Steiner et Bührer) Nickle et al. is known to occur.	Official statement that the wood: (a) originates in areas known to be free from: — *Monochamus* spp. (non-European) — *Pissodes* spp. (non-European) — *Scolytidae* spp. (non-European) The area shall be mentioned on the certificates referred to in Article 13.1.(ii), under the rubric "place of origin," or (b) has been produced from debarked round wood, or (c) has undergone kiln-drying to below 20 % moisture content, expressed as a percentage of dry matter, achieved through an appropriate time/temperature schedule, or

(d) has undergone an appropriate fumigation to a specification approved in accordance with the procedure laid down in Article 18.2. There shall be evidence of the fumigation by indicating on the certificates referred to in Article 13.1.(ii), the active ingredient, the minimum wood temperature, the rate (g/m^3) and the exposure time (h),
or

(e) has undergone an appropriate heat treatment to achieve a minimum core temperature of 56 °C for at least 30 minutes, the latter to be indicated on the certificates referred to in Article 13.1.(ii)."

(c) In Schedule IV, Part A, Section I thereof, a new point 2 is added :

"2. Wood packaging material, in the form of packing cases, boxes, crates, drums and similar packings, pallets, box pallets and other load boards, pallet collars, actually in use in the transport of objects of all kinds, except raw wood of 6 mm thickness or less, and processed wood produced by glue, heat and pressure, or a combination thereof, coming from third countries, except Switzerland.	The wood packaging material shall: — be made from debarked round wood, and — be subject to one of the approved measures as specified in Annex I to FAO International Standard for Phytosanitary Measures No 15 on *Guidelines for regulating wood packaging material in international trade*, and — display a mark with: (a) the two-letter ISO country code, a code identifying the producer and the code identifying the approved measure applied to the wood packaging material in the mark as specified in Annex II to FAO International Standard for Phytosanitary Measures No 15 on *Guidelines for regulating wood packaging material in international trade*. The letters "DB" shall be added to the abbreviation of the approved measure included in the said mark. and (b) in the case of wood packaging material manufactured, repaired or recycled as of 1 March 2005, also the logo as specified in Annex II to the said FAO Standard. However the requirement is not applicable on a temporary basis until 31 December 2007 in the case of wood packaging material manufactured, repaired or recycled before 28 February 2005.";

(d)In Schedule IV, part A, Section I, point 2.1 is replaced by the following :

"2.1. Wood of *Acer saccharum* Marsh., including wood which has not kept its natural round surface, other than in the form of: — wood intended for the production of veneer sheets, - chips, particles, sawdust, shavings, wood waste and scrap, - originating in the USA and Canada.	Official statement that the wood has undergone kiln - drying to below 20 % mo isture content, expressed as a percentage of dry matter, achieved through an appropriate time/temperature schedule. There shall be evidence thereof by a mark "Kiln-dried" or "KD" or another internationally recognised mark, put on the wood or on any wrapping in accordance with current usage".

(e) In Schedule IV, part A , Section I thereof , point 2.2 is replaced by the following:

"2.2. Wood of *Acer saccharum* Marsh., intended for the production of veneer sheets, originating in the USA and Canada.	Official statement that the wood originates in areas known to be free from *Ceratocystis virescens* (Davidson) Moreau and is intended for the production of veneer sheets"

(f) In Schedule IV, part A, Section I thereof, point 2.2 is replaced by the following:

"3. Wood of *Quercus* L., other than in the form of: — chips, particles, sawdust, shavings, wood waste and scrap, — casks, barrels, vats, tubs and other coopers' products and parts thereof, of wood, including staves where there is documented evidence that the wood has been produced or manufactured using heat treatment to achieve a minimum temperature of 176 °C for 20 minutes but including wood which has not kept its natural round surface, originating in the USA.	Official statement that the wood: (a) is squared so as to remove entirely the rounded surface, or (b) is bark-free and the water content is less than 20 % expressed as a percentage of the dry matter, or (c) is bark-free and has been disinfected by an appropriate hot-air or hot water treatment, or (d) if sawn, with or without residual bark attached, has undergone kiln-drying to below 20% moisture content, expressed as a percentage of dry matter, achieved through an appropriate time/temperature schedule. There shall be evidence thereof by a mark "Kiln-dried" or "KD" or another internationally recognised mark, put on the wood or on any wrapping in accordance with current usage." ;

(g) In Schedule IV, Part A, Section I, point 4, is deleted;

(h) In Schedule IV, Part A, Section I thereof, point 5 is replaced by the following:

"Wood of *Platanus* L., except that in the form of chips, particles, sawdust, shavings, wood waste and scrap, but including wood which has not kept its natural round surface, originating in the USA or Armenia.	Official statement that the wood has undergone kiln-drying to below 20 % moisture content, expressed as a percentage of dry matter, achievedthrough an appropriate time/temperature schedule. There shall be evidence thereof by a mark "kiln-dried" or "KD" or another internationally recognised mark, put on the wood or on any wrapping in accordance with current usage"

(i) In Schedule IV, Part A, Section I thereof, point 6 is replaced by the following:

"Wood of *Populus* L., except that in the form of chips, particles, sawdust, shavings, wood waste and scrap, but including wood which has not kept its natural round surface, originating in countries of the American continent.	Official statement that the wood: — is bark-free or — has undergone kiln-drying to below 20% moisture content, expressed as a percentage of dry matter, achieved through an appropriate time/temperature schedule. There shall be evidence thereof by a mark "kiln-dried" or "KD" or another internationally recognised mark, put on the wood or on any wrapping in accordance with current usage."

(j) In Schedule IV, Part A, Section I thereof, point 7, is replaced by the following:

'7.1. Whether or not listed among the CN codes in Annex V, Part B, wood in the form of chips, particles, sawdust, shavings, wood waste and scrap and obtained in whole or in part from: — *Acer saccharum* Marsh., originating in the USA and Canada, — *Platanus* L., originating in the USA or Armenia, — *Populus* L., originating in the American continent.	Official statement that the wood: (a) has been produced from debarked round wood, or (b) has undergone kiln-drying to below 20 % moisture content, expressed as a percentage of dry matter achieved through an appropriate time/temperature schedule, or (c) has undergone an appropriate fumigation to a specification approved in accordance with the procedure laid down in Article 18.2. There shall be evidence of the fumigation by indicating on the certificates referred to in Article 13.1.(ii), the active ingredient, the minimum wood temperature, the rate (g/m^3) and the exposure time (h), or (d) has undergone an appropriate heat treatment to achieve a minimum core temperature of 56 °C for at least 30 minutes, the latter to be indicated on the certificates referred to in Article 13.1.(ii).

7.2. Whether or not listed among the CN codes in Annex V, Part B, wood in the form of chips, particles, sawdust, shavings, wood waste and scrap and obtained in whole or part from *Quercus* L. originating in the USA.	Official statement that the wood: (a) has undergone kiln-drying to below 20 % moisture content, expressed as a percentage of dry matter achieved through an appropriate time/temperature schedule, or (b) has undergone an appropriate fumigation to a specification approved in accordance with the procedure laid down in Article 18.2. There shall be evidence of the fumigation by indicating on the certificates referred to in Article 13.1.(ii), the active ingredient, the minimum wood temperature, the rate (g/m³) and the exposure time (h), or (c) has undergone an appropriate heat treatment to achieve a minimu m core temperature of 56 °C for at least 30 minutes, the latter to be indicated on the certificates referred to in 13.1.(ii)."

(k) In Schedule IV, Part A, Section I, a new point 7.3 is added:

'7.3. Isolated bark of conifers (Coniferales), originating in non-European countries	Official statement that the isolated bark: (a) has been subjected to an appropriate fumigation with a fumigant approved in accordance with the procedure laid down in Article 18.2. There shall be evidence thereof by indicating on the certificates referred to in Article 13.1.(ii), the active ingredient, the minimum bark temperature, the rate (g/m³) and the exposure time (h), or (b) has undergone an appropriate heat treatment to achieve the minimum temperature of 56 °C for at least 30 minutes, the latter to be indicated on the certificates referred to in Article 13.1.(ii)."

(l) In Schedule IV, part A, Section I thereof, a new point 8 is added:

"8. Wood used to wedge or support non-wood cargo, including that which has not kept its natural round surface, except raw wood of 6mm thickness or less and processed wood produced by glue, heat and pressure, or a combination thereof, coming fromthird countries, except Switzerland.	The wood shall: (a) be made from debarked round wood and: — be subject to one of the approved measures as specified in Annex I to FAO International Standard for Phytosanitary Measures No 15 on *Guidelines for regulating wood packaging material in international trade*, and — display a mark with at least the two-letter ISO country code, a code identifying the producer and the code identifying the approved measure applied to the wood packaging material in the mark as specified in Annex II to FAO International Standard for Phytosanitary Measures No 15 on *Guidelines for regulating wood packaging material in international trade*. The letters "DB" shall be added to the abbreviation of the approved measure included in the said mark. or on a temporary basis until 31 December 2007 b) be made from bark-free wood that is free from pests and signs of live pests."

(m) In Schedule IV, Part A, Section I thereof, point 11.1., is replaced by the following:

"11.01. Plants of *Quercus* L., other than fruit and seeds, originating in the USA	Without prejudice to the provisions applicable to the plants listed in Annex III (A)(2), official statement that the plants originate in areas known to be free from *Ceratocystis fagacearum* (Bretz) Hunt.
11.1. Plants of *Castanea* Mill. and *Quercus* L., other than fruit and seeds, originating in non-European countries	Without prejudice to the provisions applicable to plants listed in Annex III(A) (2) and IV(A) (I) (11.01.) , official statement that no symptoms of *Cronartium* spp. (non-European) have been observed at the place of production or its immediate vicinity since the beginning of the last complete cycle of vegetation."

(n) In Schedule IV, Part A, Section I thereof, point 12, the text in the left hand column is replaced by the following:

'12. Plants of *Platanus* L., intended for planting, other than seeds, originating in the USA or Armenia.' ;

(o) In Schedule IV, Part A, Section II thereof, points 1 and 3 are deleted;

(p) In Schedule IV, Part B thereof, a new point 6.3. is added:

"6.3. Wood of *Castanea* Mill.	(a) The wood shall be bark-free or (b) Official statement that the wood: (i) originates in areas known to be free from *Cryphonectria parasitica* (Murrill.) Barr. or (ii) has undergone kiln-drying to below 20 % moisture content, expressed as a percentage of dry matter, achieved through an appropriate time/temperature schedule. There shall be evidence thereof by a mark "Kiln-dried" or "KD" or another internationally recognised mark, put on the wood or on any wrapping in accordance with current usage.	CZ, DK, EL, (Crete, Lesvos) IRL, S, UK (except the Isle of Man)" ;

(q) In Schedule IV, Part B thereof, point 14.1, the words 'without prejudice to the prohibitions applicable to the bark listed in Annex III(a)(4)' in the middle column are deleted.

(r) In Schedule IV, Part B thereof, points 14.2, 14.3, 14.4, 14.5 and 14.6 the words "Annex III(A)(4)," in the middle column are deleted.

(s) In Schedule IV, Part B, a new point 14.9. is added:

"14.9. Isolated bark of *Castanea* Mill.	Official statement that the isolated bark: (a) originates in areas known to be free from *Cryphonectria parasitica* (Murrill.) Barr. or (b) has been subjected to fumigation or other appropriate treatment against *Cryphonectria parasitica* (Murrill.) Barr. to a specification approved in accordance with the procedure laid down in Article 18.2. There shall be evidence of the fumigation by indicating on the certificates referred to in Article 13.1..(ii), the active ingredient, the minimum bark temperature, the rate (g/m^3) and the exposure time (h)	CZ, DK, EL, (Crete, Lesvos) IRL, S, UK (except the Isle of Man)".

Amends Schedule V to the principal regulations.

4. Schedule V to the principal regulations shall be amended as follows:-

(a)Schedule V, Part A, Section I thereof , shall be amended as follows:

(i) Point 1.7. is replaced by the following:

'1.7. Wood within the meaning of the first subparagraph of Article 2(2), where it:

(a) has been obtained in whole or part from *Platanus* L., including wood which has not kept its natural round surface;

and

(b) meets one of the following descriptions laid down in Annex I, Part two to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff [1]:

CN code	Description
4401 10 00	Fuel wood, in logs, in billets, in twigs, in faggots or in similar forms
4401 22 00	Non-coniferous wood, in chips or particles
ex 4401 30 90	Wood waste and scrap (other than sawdust), not agglomerated in logs, briquettes, pellets or similar forms
4403 10 00	Wood in the rough, treated with paint, stains, creosote or other preservatives, not stripped of bark or sapwood, or roughly squared
ex4403 99	Non-coniferous wood (other than tropical wood specified in subheading note 1 to Chapter 44 or other tropical wood, oak (*Quercus* spp.) or beech (*Fagus* spp.)), in the rough, whether or not stripped of bark or sapwood, or roughly squared, not treated with paint, stains, creosote or other preservatives
ex 4404 20 00	Non-coniferous split poles; piles, pickets and stakes of non-coniferous wood, pointed but not sawn lengthwise
ex 4407 99	Non-coniferous wood (other than tropical wood specified in subheading note 1 to Chapter 44 or other tropical wood, oak (*Quercus* spp.) or beech (*Fagus* spp.)), sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or endjointed, of a thickness exceeding 6 mm.'

(ii) point 1.8. is deleted.

[1] 1) OJ L 256, 7.9.1987, p. 1. Regulation as last amended by Commission Regulation (EC) No 1558/2004 (OJ L 283, 2.9.2004, p. 7).

(b) Schedule V, Part A, Section II thereof, shall be amended as follows:

(i) point 1.10. is replaced by the following:

"1.10. Wood within the meaning of the first subparagraph of Article 2(2), where it

(a) has been obtained in whole or part from

— conifers (Coniferales), excluding wood which is bark-free,

— *Castanea* Mill., excluding wood which is bark-free;

and

(b) meets one of the following descriptions laid down in Annex I, Part two to Council Regulation (EEC) No 2658/87:

CN Code	Description
4401 10 00	Fuel wood, in logs, in billets, in twigs, in faggots or in similar forms
4401 21 00	Coniferous wood, in chips or particles
4401 22 00	Non-coniferous wood, in chips or particles
ex 4401 30	Wood waste and scrap (other than sawdust), not agglomerated in logs, briquettes, pellets or similar forms
ex 4403 10 00	Wood in the rough, treated with paint, stains, creosote or other preservatives, not stripped of bark or sapwood, or roughly squared
ex 4403 20	Coniferous wood in the rough, not stripped of bark or sapwood, or roughly squared, not treated with paint, stains, creosote or other preservatives
ex 4403 99	Non-coniferous wood (other than tropical wood specified in subheading note 1 to Chapter 44 or other tropical wood, oak (*Quercus* spp.) or beech (*Fagus* spp.)), in the rough, whether or not stripped of bark or sapwood, or roughly squared, not treated with paint, stains, creosote or other preservatives
ex 4404	Split poles: piles, pickets and stakes of wood, pointed, but not sawn lengthwise
4406	Railway or tramway sleepers (cross-ties) of wood
4407 10	Coniferous wood, sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or end-jointed, of a thickness exceeding 6mm
ex 4407 99	Non-coniferous wood (other than tropical wood specified in subheading note 1 to Chapter 44 or other tropical wood, oak (*Quercus* spp.) or beech (*Fagus* spp.)), sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or end-jointed, of a thickness exceeding 6 mm.'

(ii) point 1.11. is replaced by the following:

'1.11. Isolated bark of *Castanea* Mill, and conifers (Coniferales)'.

(c) In Part B, Section I thereof,

(i) in point 2, the third indent is replaced by the following:

"— *Acer saccharum* Marsh., originating in the USA and Canada."

(ii) point 5, the first indent is replaced by the following:

"— conifers (Coniferales), originating in non-European countries." ;

(iii) point 6, is replaced by the following:

"6. Wood within the meaning of the first subparagraph of Article 2(2), where it:

(a) has been obtained in whole or part from one of the order, genera or species as described hereafter, except wood packaging material defined in Annex IV, Part A, Section I, Point 2:

— *Quercus* L., including wood which has not kept its natural round surface, originating in the USA, except wood which meets the description referred to in (b) of CN code 4416 00 00 and where there is documented evidence that the wood has been processed or manufactured using a heat treatment to achieve a minimum temperature of 176 °C for 20 minutes,

— *Platanus*, including wood which has not kept its natural round surface, originating in the USA or Armenia,

— *Populus* L., including wood which has not kept its natural round surface, originating in countries of the American continent,

— *Acer saccharum* Marsh., including wood which has not kept its natural round surface, originating in the USA and Canada,

— *Conifers* (Coniferales), including wood which has not kept its natural round surface, originating in non-European countries, Kazakhstan, Russia and Turkey;

and

(b) meets one of the following descriptions laid down in Annex I, Part two to Council Regulation (EEC) No 2658/87:

CN code	Description
4401 10 00	Fuel wood, in logs, in billets, in twigs, in faggots or in similar forms
4401 21 00	Coniferous wood, in chips or particles
4401 22 00	Non-coniferous wood, in chips or particles
4401 30 10	Sawdust
ex 4401 30 90	Other wood waste and scrap, not agglomerated in logs, briquettes, pellets or similar forms
4403 10 00	Wood in the rough, treated with paint, stains, creosote or other preservatives, not stripped of bark or sapwood, or roughly squared
4403 20	Coniferous wood in the rough, other than treated with paint, stains, creosote or other preservatives, whether or not stripped of bark or sapwood, or roughly squared
4403 91	Oak wood (*Quercus* spp.) in the rough, other than treated with paint, stains, creosote or other preservatives, whether or not stripped of bark of sapwood, or roughly squared
ex 4403 99	Non-coniferous wood (other than tropical wood specified in subheading note 1 to Chapter 44 or other tropical wood, oak (*Quercus* spp.) or beech (*Fagus* spp.)), in the rough, whether or not stripped of bark or sapwood, or roughly squared, not treated with paint, stains, creosote or other preservatives
ex 4404	Split poles; piles, pickets and stakes of wood, pointed but not sawn lengthwise
4406	Railway or tramway sleepers (cross-ties) of wood
4407 10	Coniferous wood, sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or end-jointed, of a thickness exceeding 6mm
4407 91	Oak wood (*Quercus* spp.), sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or end-jointed, of a thickness exceeding 6 mm
ex 4407 99	Non-coniferous wood (other than tropical wood specified in subheading note 1 to Chapter 44 or other tropical wood, oak (*Quercus* spp.) or beech (*Fagus* spp.)), sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or end-jointed, of a thickness exceeding 6mm
4415	Packing cases, boxes, crates, drums and similar packings, of wood; cable-drums of wood; pallets, box pallets and other load boards, of wood; pallet collars of wood
4416 00 00	Casks, barrels, vats, tubs and other coopers' products and parts thereof, of wood, including staves
9406 00 20	Prefabricated buildings of wood."

(b) In Part B, Section II thereof,

(i) point 7, is replaced by the following:

"7. Wood within the meaning of the first subparagraph of Article 2(2), where it:

(a) has been obtained in whole or part from conifers (Coniferales), excluding wood which is bark-free originating in European third countries, and *Castanea* Mill., excluding wood which is bark-free and

(b) meets one of the following descriptions laid down in Annex I, Part two to Council Regulation (EEC) No 2658/87:

CN code	Description
4401 10 00	Fuel wood, in logs, in billets, in twigs, in faggots or in similar forms
4401 21 00	Coniferous wood, in chips or particles
4401 22 00	Non-coniferous wood, in chips or particles
ex 440130	Wood waste and scrap (other than sawdust), not agglomerated in logs, briquettes, pellets or similar forms
ex 4403 10 00	Wood in the rough, treated with paint, stains, creosote or other preservatives, not stripped of bark or sapwood, or roughly squared
ex 4403 20	Coniferous wood in the rough, other than treated with paint, stains, creosote or other preservatives, not stripped of bark or sapwood or roughly squared
ex 4403 99	Non-coniferous wood (other than tropical wood specified in subheading note 1 to Chapter 44 or other tropical wood, oak (*Quercus* spp.) or beech (*Fagus* spp.)), in the rough, whether or not stripped of bark or sapwood, or roughly squared, not treated with paint, stains, creosote or other preservatives
ex 4404	Split poles; piles, pickets and stakes of wood, pointed but not sawn lengthwise
4406	Railway or tramway sleepers (cross-ties) of wood
4407 10	Coniferous wood, sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or end-jointed, of a thickness exceeding 6mm
ex 4407 99	Non-coniferous wood (other than tropical wood specified in subheading note 1 to Chapter 44 or other tropical wood, oak (*Quercus* spp.) or beech (*Fagus* spp.), sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or end-jointed, of a thickness exceeding 6mm
4415	Packing cases, boxes, crates, drums and similar packings, of wood; cable-drums of wood; pallets, box pallets and other load boards, of wood; pallet collars of wood
940600 20	Prefabricated buildings of wood."

(ii) In Schedule V, Part B, Section II, a new point 9 is added:

"9. Isolated bark of conifers (Coniferales) originating in European third countries."